

FEB 28 2008

FILED
CLERK'S OFFICE

UNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION



**IN RE: WASHINGTON MUTUAL, INC., SECURITIES,
DERIVATIVE & "ERISA" LITIGATION**

Robert L. Garber v. Washington Mutual Inc., et al.,)
S.D. New York, C.A. No. 1:07-11422 CM)
Joseph Procida, etc. v. Kerry K. Killinger, et al.,)
S.D. New York, C.A. No. 1:08-565)

MDL No. 1919

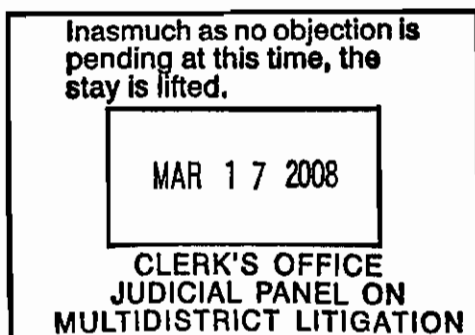
CONDITIONAL TRANSFER ORDER (CTO-1)

On February 21, 2008, the Panel transferred two civil actions to the United States District Court for the Western District of Washington for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. *See* ___ F.Supp.2d ___ (J.P.M.L. 2008). With the consent of that court, all such actions have been assigned to the Honorable Marsha J. Pechman.

It appears that the actions on this conditional transfer order involve questions of fact that are common to the actions previously transferred to the Western District of Washington and assigned to Judge Pechman.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the Western District of Washington for the reasons stated in the order of February 21, 2008, and, with the consent of that court, assigned to the Honorable Marsha J. Pechman.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Western District of Washington. The transmittal of this order to said Clerk shall be stayed 15 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 15-day period, the stay will be continued until further order of the Panel.



FOR THE PANEL:

[Signature]
Jeffery N. Lüthi
Clerk of the Panel

**IN RE: WASHINGTON MUTUAL, INC., SECURITIES,
DERIVATIVE & "ERISA" LITIGATION**

MDL No. 1919

INVOLVED COUNSEL LIST (CTO-1)

Roy L. Jacobs
ROY JACOBS & ASSOCIATES
60 East 42nd Street, 46th Floor
New York, NY 10165

Alfred G. Yates, Jr.
LAW OFFICE OF ALFRED G YATES JR PC
429 Forbes Avenue
519 Allegheny Building
Pittsburgh, PA 15219-1649

Geoffrey C. Jarvis
GRANT & EISENHOFER PA
1201 North Market Street
Suite 2100
Wilmington, DE 19801

Robert Jerrod Pfister
SIMPSON THACHER & BARTLETT LLP
1999 Avenue of the Stars
29th Floor
Los Angeles, CA 90067-4607

Evan J. Smith
BRODSKY & SMITH LLC
240 Mineola Boulevard
First Floor
Mineola, NY 11501

Richard A. Speirs
ZWERLING SCHACHTER & ZWERLING LLP
41 Madison Avenue
32nd Floor
New York, NY 10010

Peter D. St. Phillip, Jr.
LOWEY DANNENBERG COHEN & HART PC
One North Broadway
Suite 509
White Plains, NY 10601

Mary Kay Vyskocil
SIMPSON THACHER & BARTLETT LLP
425 Lexington Avenue
New York, NY 10017